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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/660,613	09/12/2003	Keizo Takura	03500.013965.1	6113
5514	7590	09/22/2004	EXAMINER	
FITZPATRICK CELLA HARPER & SCINTO			GRANT II, JEROME	
30 ROCKEFELLER PLAZA			ART UNIT	
NEW YORK, NY 10112			PAPER NUMBER	

2626

DATE MAILED: 09/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 10/660,613	Applicant(s) TAKURA, KEIZO	
	Examiner Jerome Grant II	Art Unit 2626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 21-53 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 22-24, 28, 31, 35, 38-40, 44, 47 and 51 is/are rejected.
- 7) ☒ Claim(s) 25-27, 29, 30, 32-34, 36, 37, 41-43, 45, 46, 48-50, 52 and 53 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☒ Certified copies of the priority documents have been received in Application No. 09/425,007.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 09-16-04.

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_

**JEROME GRANT II**  
**PRIMARY EXAMINER**

### Detailed Action

1. Claims 1-21 are canceled.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 22-24, 28, 31, 35, 38, 44, 47 and 51 are rejected under 35 U.S.C. 102(b) as being anticipated by Fuji.

With respect to claim 22, Fuji teaches an image processing device for performing a conversion processing of image data, comprising: an input means 2 for inputting image data; enlargement/reduction setting means 1 for setting mag. /red. For input images; data converting means 6 having a plurality of density data conversion tables (61), see figures 5 and 6, and using one selected density conversion table to convert said input to output data. Fuji teaches a table selecting means 16 for selecting

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said density conversion table in accordance with the enlargement/reduction set by the setting means , see col. 9, lines 55-65 and figure 4.

With respect to claims 23 and 39, this limitation is inherent with respect to col. 9, lines 52-54.

With respect to claims 24 and 40, this limitation is inherent with respect to col. 9, lines 52-54.

With respect to claims 28 and 51, Fuji teaches a selecting means (converter 62) selects a density characteristic from the table selecting means 16 according to the magnification and the output characteristics of the selecting means, see figure 4.

With respect to claim 31, Fuji teaches an image processing device comprising: an input means 2 for inputting luminance data; magnification setting means 1 as claimed; data converting means 61 as claimed and table selecting means 62 as claimed.

With respect to claim 35 Fuji teaches selecting means 62 for selecting the density characteristic wherein the table setting means 16 selects a conversion table according to the magnification and the density set by the selecting means. See figure 4.

With respect to claim 38, Fuji teaches an image processing method performed by the apparatus of figure 4 comprising: , Fuji teaches : an input step by input means 2 for

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inputting image data; enlargement/reduction setting step by setting means 1 for setting mag. /reduction for input images; data converting means 6 having a plurality of density data conversion tables (61), see figures 5 and 6, and using one selected density conversion table to convert said input to output data. Fuji teaches a table selecting means 16 for selecting said density conversion table in accordance with the enlargement/reduction set by the setting means, see col. 9, lines 55-65 and figure 4.

With respect to claim 44, Fuji teaches character setting step (converter 62) for selecting a density output characteristic, wherein said table selecting selects the density table via (element 16) according to the magnification and output characteristics, see figure 4.

With respect to claim 47, Fuji teaches an input step by input means 2 for inputting image data; enlargement/reduction setting step by setting means 1 for setting mag. /red. for input images; a data converting step having a plurality of luminance density conversion tables 61 and using one selected (from among 4 shown by figure 5 and from 6 shown in figure 6), and using the table to convert the input luminance data to output density; and a table selecting means 16 for selecting the table in accordance with the magnification step.

2.

**Claims Objected**

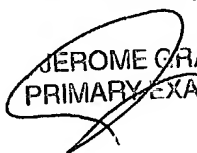
Claims 25-27,29, 30, 32-34, 36, 37, 41-43, 45 ,46, 48-50, 52 and 53 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

3.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jerome Grant II whose telephone number is 703-305-4391. The examiner can normally be reached on Mon.-Fri. from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly A Williams, can be reached on 703-305-4863. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
JEROME GRANT II  
PRIMARY EXAMINER

J. Grant II